

ID. Date of interview  
date 11/02/20

ID. Time interview started  
start 10:34:16

ID.end Completion date of interview  
Date 11/02/20

ID.end Time interview ended  
13:27:51

ID. Duration of interview  
time 173.58

new case

## ICO consultation on the draft right of access guidance

Q1 Does the draft guidance cover the relevant issues about the right of access?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, what other issues would you like to be covered in it?

Q2 Does the draft guidance contain the right level of detail?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

Q3 Does the draft guidance contain enough examples?

☐ Yes

☒ No

☐ Unsure / don't know

If no or unsure/don't know, please provide any examples that think should be included in the draft guidance.

Further examples for third parties applying on behalf of data subject. The guidance states that it is the third party's responsibility to provide evidence of their authority. However, we have family members submitting requests with a signed authority evidencing consent, but when checked directly with the data subject, they don't necessarily want their parent, for example, having all details of the support they are receiving from a social worker. There are a couple of issues - individuals may not want to go against the wishes of other family members, so will give their consent; also, they may not appreciate the level of detail that is on their files.. As a local authority we check with the data subject and offer to give them the information directly, for them to share, if they choose.

Q4 We have found that data protection professionals often struggle with applying and defining 'manifestly unfounded or excessive' subject access requests. We would like to include a wide range of examples from a variety of sectors to help you. Please provide some examples of manifestly unfounded and excessive requests below (if applicable).



Q5 On a scale of 1-5 how useful is the draft guidance?

1 - Not at all useful	2 – Slightly useful	3 – Moderately useful	4 – Very useful	5 – Extremely useful
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q6 Why have you given this score?

It is not specifically relevant to the public sector.

Q7 To what extent do you agree that the draft guidance is clear and easy to understand?

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q8 Please provide any further comments or suggestions you may have about the draft guidance.

We are concerned at the suggestion that the timescale cannot be paused when seeking clarification. How can the request be processed if the requestor hasn't clarified/specified the information they seek? This seems unreasonable and not in line with the Regulations. We are a Unitary Authority and a request may relate to a number of different service areas such as Adult Social Care, Childrens Services, Housing Benefit, Council Tax, Housing Support, Education, Libraries, Planning, Elections, Leisure services, Rights of Way, Highways etc. It is unreasonable to expect us to carry out searches of all these service areas if the requestor did not clarify which departments they may have had contact with. It would waste a lot of public resources if we did have to carry out searches of all these areas and then the requestor confirmed that they were only interested in their leisure centre membership.

Q9 Are you answering as:

- ☐ An individual acting in a private capacity (eg someone providing their views as a member of the public)
- ☐ An individual acting in a professional capacity
- ☒ On behalf of an organisation
- ☐ Other

Please specify the name of your organisation:

Isle of Wight Council

What sector are you from:

Local Authority

Q10 How did you find out about this survey?

- ☐ ICO Twitter account
- ☐ ICO Facebook account
- ☐ ICO LinkedIn account
- ☒ ICO website
- ☐ ICO newsletter
- ☐ ICO staff member
- ☐ Colleague
- ☐ Personal/work Twitter account
- ☐ Personal/work Facebook account
- ☐ Personal/work LinkedIn account
- ☐ Other

If other please specify: